

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Richmond Division)**

JOSEPH DICK,	:	
	:	
Petitioner,	:	
	:	
v.	:	Civil Case No. 3:10-cv-00505-JAG
	:	
HELEN FAHEY,	:	
CHAIR OF THE VIRGINIA	:	
PAROLE BOARD,	:	
	:	
Respondent.	:	

PETITIONER JOSEPH J. DICK'S STATUS REPORT

Petitioner Joseph J. Dick submits this status report to apprise the Court of the current posture of his habeas proceedings in the Commonwealth's courts and related matters.

On September 19, 2011, a writ panel of the Supreme Court of Virginia denied Joseph J. Dick's petition to appeal from the Norfolk Circuit Court's order dismissing his state petition for habeas corpus relief. The Supreme Court of Virginia's order became final on October 3, 2011, and Dick has now exhausted state remedies available to pursue his new due process claim.

Given the complex and varied procedural status of the differing claims in Mr. Dick's Amended Petition for a Writ of Habeas Corpus currently pending before this Court, Petitioner is preparing a proposed course of action for the proceedings going

forward in this litigation. Mr. Dick and co-petitioner Danial Williams, who has nearly identical claims pending before the Court, intend to submit a report to the Court within the next 30 days with Petitioners' recommendations to the Court for a proposed course of action. Accordingly, Mr. Dick requests that the Court schedule a status conference hearing in this case in early December 2011 to consider Petitioners' proposed course of action and other issues in this case.

Danial Williams' counsel conferred with Respondent's counsel on October 18, 2011 concerning Mr. Williams' proposal for a status hearing in early December 2011. Respondent indicated on October 19, 2011 that Respondent opposes Petitioners' request for a status hearing.

Date: Oct. 19, 2011

/s/ Rebecca. A. Worthington

Counsel for Petitioner

George H. Kendall (*Pro Hac Vice*)
Corrine Irish (*Pro Hac Vice*)
Squire Sanders & Dempsey (US) LLP
30 Rockefeller Plaza
New York, NY 10112
212-872-9800
gkendall@ssd.com
cirish@ssd.com

Rebecca A. Worthington (VSB #79232)
Squire Sanders & Dempsey (US) LLP
1200 19th Street, N.W. Suite 300
Washington, D.C. 20036
202-664-6654
rworthington@ssd.com

Harmony I. Loube (VSB #68379)
Holland & Knight LLP

2099 Pennsylvania Avenue, N.W.,
Suite 100
Washington, DC 20006
202-469-5175
harmony.loube@hklaw.com

Certificate of Service

I hereby certify that on October 19, 2011, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system which will then send a notification of such filing (NEF) to the following:

Virginia B. Theisen
Senior Assistant Attorney General
Office of the Attorney General
900 East Main Street
Richmond, VA 23219
vtheisen@oag.state.va.us
Counsel for Respondent

Counsel for Petitioner

George H. Kendall (*Pro Hac Vice*)
Corrine Irish (*Pro Hac Vice*)
Squire Sanders & Dempsey, LLP
30 Rockefeller Plaza
New York, NY 10112
212-872-9800
gkendall@ssd.com
cirish@ssd.com

Rebecca A. Worthington (VSB #79232)
Squire Sanders & Dempsey, LLP
Suite 500
1201 Pennsylvania Avenue, N.W.
Washington, District of Columbia 20004
202-664-6654
rworthington@ssd.com

Harmony I. Loube (VSB #68379)
Holland & Knight LLP
31 W. 52nd Street
New York, New York 10019
(212) 513-3383
harmony.loube@hklaw.com

by:/s/ Rebecca A. Worthington